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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/586,357	07/17/2006	Suguru Fukui	80097(302721)	3094
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EXAMINER				
HSIEH, PING Y				
ART UNIT		PAPER NUMBER		
2618				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/586,357

Applicant(s)

FUKUI ET AL.

Examiner

PING Y. HSIEH

Art Unit

2618

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 October 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 3-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 5 is/are allowed.
- 6) ☒ Claim(s) 1, 3, 4, 6 and 7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 June 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SI/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 6/17/09 has been entered.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 3 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schwarz (U.S. PATENT NO. 4,982,176) in view of Taniguchi et al. (U.S. PATENT NO. 5,999,830).
3. Claims 1, 3-4 are rejected under 35 U.S.C. 102(b) as being anticipated by.

-Regarding claim 1, Schwarz discloses a wireless sensor device (**as disclosed in fig. 1-4**) comprising: a sensor configured to sense a target object and provide a sensor signal of varying levels indicative of condition of the target

object (**infrared radiation detector 50 as disclosed in col. 3 line 66-col. 4 line 18**); a signal processing circuit configured to amplify said sensor signal to give an amplified electric analog signal (**amplifier 60 as disclosed in col. 3 line 66-col. 4 line 21**); a detection circuit configured to receive said amplified analog signal and provide a detection output (Dout) when said electric analog signal goes beyond a predetermined detection threshold (**light control logic and timing circuit 70 as disclosed in col. 4 lines 21-28**); a radio transmitter configured to transmit a radio detection signal (RS) in response to said detection output (**RF transmitter 85 as disclosed in col. 5 lines 16-43**); a power supply configured to provide an electric power to said signal processing circuit, said detection circuit, and said radio transmitter (**rechargeable battery 30 as disclosed in col. 3 lines 57-65**); and a power generating element converting an external energy into said electric power to be accumulated in said power supply (**solar cells 20 as disclosed in col. 3 lines 39-56**) wherein a controller is provided to activate said radio transmitter only in response to said detection output, permitting said radio transmitter to generate said radio detection signal (**as disclosed in col. 7 line 54-col. 8 line 16**). However, Schwarz fails to specifically disclose said radio transmitter comprises a regulator connected to receive said electric power from said power supply and configured to give an operating voltage for a short time period only upon receiving said detection output (Dout) from said detection circuit; a clock configured to be activated upon receiving said operating voltage to provide a clock signal; a pulse generator configured to generate, based upon

said clock signal, short pulses identifying the presence of the detection output; and a driver configured to be activated upon receiving said operating voltage from said regulator so as to radiate said short pulses as said radio detection signal through an antenna.

Taniguchi et al. disclose a radio transmitter comprises a regulator connected to receive said electric power from said power supply and configured to give an operating voltage for a short time period only upon receiving said detection output (Dout) from said detection circuit **(as disclosed in fig. 2-4, col. 3 lines 45-65 and col. 7 lines 4-12)**; a clock configured to be activated upon receiving said operating voltage to provide a clock signal **(local oscillator 14 supplies the stable oscillating frequency to the radio transmitting section as disclosed in fig. 2-4 and col. 8 lines 42-49)**; a pulse generator configured to generate, based upon said clock signal, short pulses identifying the presence of the detection output **(frequency converter 151, the transmitting signal is mixed with a local oscillation signal at the frequency converter 151 and being up-converted to a radio carrier signal as disclosed in fig. 2-4 and col. 8 lines 42-49)**; and a driver configured to be activated upon receiving said operating voltage from said regulator so as to radiate said short pulses as said radio detection signal through an antenna **(a transmitting power amplifier 152, the radio carrier signal is amplified by the transmitting amplifier 152 to a predetermined transmit level, and then is transmitted via the antenna 11 as disclosed in fig. 2-4 and col. 8 lines 42-49).**

Therefore, it would have been obvious to one of ordinary skills in the art at the time of invention to modify the RF transmitter as disclosed by Schwarz to include the regulator, clock, pulse generator and a driver as disclosed by Taniguchi et al. One is motivated as such in order to provide power conservation.

-Regarding claim 3, the combination further discloses said controller is configured to provide a normal mode of operating said signal processing circuit at a rated power to obtain said electric signal (Vout) of rated amplitude proportional to said rated electric power (**Schwarz, col. 4 lines 19-28**), and a sleep mode of operating said signal processing circuit at a reduced power for obtaining said electric signal (Vout) of low amplitude proportional to said reduced electric power (**Schwarz, resistance of the photocell 80 prevent the system from turning on lamp 40 unless the dual requirements of low background light level sensed by the photocell 80, and the detection of a moving object sensed by PIR detector 50 are met as disclosed in col. 4 lines 19-30**), said detection circuit being configured to have a wake-up threshold which is lower than said detection threshold, said controller being configured to switch said normal mode to said sleep mode when said electric signal (Vout) of rated amplitude becomes lower than said detection threshold (**Schwarz, photocell 80 during daytime as disclosed in col. 4 lines 19-30**), and to keep said sleep mode until said low amplified electric signal goes beyond said wake-up threshold, and said detection circuit being configured to give said detection output (Dout) when said electric signal (Vout) of rated amplitude goes beyond said detection threshold in said

normal mode **(Schwarz, photocell 80 in low background light level as disclosed in col. 4 lines 19-30).**

-Regarding claim 4, the combination further discloses said sensor is an infrared ray sensor for detection of a motion of said target object of generating infrared ray, said sensor providing said sensor signal which varies in positive or negative directions in response to the motion of said target object **(Schwarz, col. 3 line 66-col. 4 line 18)**, said detection circuit having a threshold selector which provides a detection range (A1-A2) defined by upper positive and lower negative ones of said detection threshold, and also a wake-up range (B1-B2) defined by upper positive and lower negative ones of said wake-up threshold **(Schwarz, resistance of the photocell 80 prevent the system from turning on lamp 40 unless the dual requirements of low background light level sensed by the photocell 80, and the detection of a moving object sensed by PIR detector 50 are met as disclosed in col. 4 lines 19-30)**, said detection circuit including a comparator unit which receives said detection range and said wake-up range selectively from said threshold generator **(Schwarz, resistance of the photocell 80)**, said comparator unit generating a first signal (Cout) either when said electric signal (Vout) of rated amplitude goes beyond said detection range **(Schwarz, it is inherent to have a comparator unit to determine the dual requirements are met as disclosed in col. 4 lines 19-44)**, and otherwise generating a second signal (Cout), said controller selecting said detection range in response to said first signal (Cout), and selecting said wake-up range in response to said second

signal (Cout) (**Schwarz, adjustable timer 74 part of the light control logic and timing circuit 70 as disclosed in col. 4 lines 30-44**), and said detection circuit providing said detection output only upon seeing said first signal (Cout) in said normal mode (**Schwarz, the dual requirements of low background light level sensed by the photocell 80, and the detection of a moving object sensed by PIR detector 50 are met as disclosed in col. 4 lines 19-30**).

4. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schwarz (U.S. PATENT NO. 4,982,176) in view of Taniguchi et al. (U.S. PATENT NO. 5,999,830) and further in view of Gray et al. (U.S. PATENT NO. 6,275,712).

-Regarding claim 6, the combination of Schwarz and Taniguchi et al. discloses all the limitations as claimed in claims 1 and 3. However, the combination fails to disclose said controller is connected to monitor a level of said electric power accumulated in said power supply and to keep said normal mode and disable said sleep mode while said electric power is higher than a predetermined power level.

Gray et al. disclose a battery monitor 126 sends a signal to control processor 118 indicating that battery power level has risen above threshold and the user is able to set the threshold level for activating power saving function as disclosed in fig. 1 and further disclosed in col. 4 lines 39-65.

Therefore, it would have been obvious to one of ordinary skills in the art at the time of invention to modify one of the requirements for turning on lamp of Schwarz to be configured as the battery power being higher than a

predetermined power level as disclosed by Gray et al. One is motivated as such in order to provide a programmable lighting system based on user's need.

5. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schwarz (U.S. PATENT NO. 4,982,176) in view of Taniguchi et al. (U.S. PATENT NO. 5,999,830) and further in view of Motte (U.S. PATENT NO. 7,193,201).

-Regarding claim 7, the combination of Schwarz and Taniguchi et al. discloses all the limitations as claimed in claim 1. However, the combination fails to specifically point out the solar cell is a photovoltaic cell which converts light into electrical energy, and said photovoltaic cell also defining said power generating element for accumulating the electric power into said power supply.

Motte discloses a photovoltaic cell as disclosed in col. 1 lines 11-21.

Therefore, it would have been obvious to one of ordinary skills in the art at the time of invention to modify the solar cell of Schwarz to be a photovoltaic cell as disclosed by Motte. One is motivated as such in order to provide an energy generation not only from the sunlight.

Allowable Subject Matter

6. Claim 5 is allowed.

Response to Arguments

7. Applicant's arguments filed 6/17/09 have been fully considered but they are not persuasive.

In pages 7-10 of the remarks, regarding claim 1, applicant argues that Taniguchi fails to disclose a regulator in the transmitter which is connected to the power supply and provides an operating voltage for a short time period only upon receiving a detection output (Dout) from the detection circuit. However, the examiner respectfully disagrees and wants to point out that Taniguchi in col. 3, lines 45-65, col. 7 lines 4-12, col. 8 lines 43-49 and fig. 2-4 discloses a switch SW1 is set between the power source unit 6 and the local oscillator 14, a switch SW3 is set between the power source unit 6 and the frequency converter 151, a switch SW5 is set between the power source unit 6 and the transmitting power amplifier 152, and the battery saving control circuit 52 receives the indication signal from the control unit 5 and supplies the switch-ON signals for controlling the switches SW1, SW3, SW5 within a predetermined time, that is, supplying the power source to the local oscillator 14, the frequency converter 151, the transmitting power amplifier 152 (read on the limitation of a regulator that is included in the radio transmitter, connected to receive said electric power from said power supply and configured to give an operating voltage for a short time period only upon receiving said detection output from said detection circuit in claim 1). Therefore, based on the logical response to the arguments provided above, the examiner respectfully renders claims 1, 3, 4, 6 and 7 unpatentable over the cited art.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to PING Y. HSIEH whose telephone number is (571)270-3011. The examiner can normally be reached on Monday~Thursday 8am ~ 4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on 571-272-7882. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/P. Y. H./
Examiner, Art Unit 2618

/Lana N. Le/
Primary Examiner, Art Unit 2614